

Serial No. 10/084,381
Amendment dated May 17, 2004
In Reply to Office Action dated January 15, 2004

R E M A R K S

The Office Action dated January 15, 2004 has been received and its contents carefully noted.

In view of the foregoing amendments, and following representations, reconsideration and allowance are respectfully requested.

To overcome the rejection of the claims under 35 U.S.C. 102(b) or 35 U.S.C. 103(a) over Minke et al. (DE 43 24 970 A1), claims 1 -6 have been cancelled, and new claims 7 and 8 have been presented to further define thereover.

Claim 7 and 8 likewise define over the Examiner's rejection under 35 U.S.C. 103(a) of the original claims over Minke et al. further modified in view of U.S. Patent No. 5,397,417 to Goto et al.

In new independent claim 7, Applicant has claimed the novel and unobvious combination of method steps according to the invention that collectively define over the two rejections presented by the Examiner over the original claims, and independent claim 7 is submitted to define thereover, as none of the applied references, nor any of the references of record, whether considered singly or in combination, would have taught or rendered obvious Applicant's claimed invention, as now presented.

Serial No. 10/084,381
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As to the Information Disclosure Statement filed May 16, 2002, Applicant has attached an English language Abstract of German patent document no. 198 55 962 C1, published May 31, 2000, prepared by the undersigned. The undersigned prepared the English summary of the October 2, 2001 German Patent and Trademark Office Office Action for priority application no. 101 10 922.9, filed March 7, 2001, likewise submitted with the May 16, 2002 Information Disclosure Statement, the summary is as follows:

On page 1 of that October 2, 2001 Office Action, the German Patent Examiner listed the following three(3) references as being relevant:

- (1) DE 34 05 985 C2;
- (2) DE 198 55 962 C1; and
- (3) WO 00/06396 A2.

As the U.S. Examiner is no doubt aware, the German Examiner then referred to the references by the single digit numbers.

Thus, on page 2, the German Patent Examiner indicated that reference (1) had relevance to the German claim 1, in particular to the state of the art set forth in the preamble of the German claim 1, and pointed out that column 4, lines 11-30 of reference (1) was considered to be relevant.

Serial No. 10/084,381
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In the third paragraph of page 2 the German Patent Examiner then pointed out that reference (2) provided motivation to a person having ordinary skill in the art, to reduce a complex production process, by making an intermediate model, which may likewise be a roller.

In paragraph 5 on page 2 the German Patent Examiner then indicated that claim 1 of the German patent was not patentable.

In paragraph 6 on page 2 the German Examiner then indicated that claim 2 included only specific features of the invention.

In paragraph 7 the German Examiner indicated that claim 3 included only simple measures (features) without any particular meaning (by themselves).

On page 2, paragraph 8, the German Examiner indicated that reference (3) was indicative of the state of the art.

On page 3, paragraph 1, the German Examiner indicated that a patent can thus not be granted.

Needless to say, the position taken by the German Examiner regarding German claims under German law in the German Patent and Trademark Office has no bearing on whether or not the present claims are patentable under U.S. patent practice.

The present claims in this application have been written to particularly define Applicant's inventive method, provide

Serial No. 10/084,381
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Applicant with the protection to which it is entitled, and to define over the prior art of record.

In the light of the above, the Examiner is requested to consider the previously submitted, yet unconsidered two(2) documents timely filed with the May 16, 2002 Information Disclosure Statement, and to allow the application with claims 7 and 8 which remain.

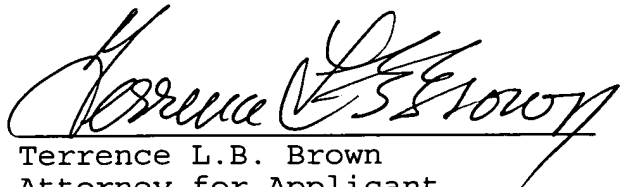
Claim 7 is in independent form.

Attached is a check in the amount of \$110.00 for a one month extension of time. It is believed that no additional fee is due for this submission. Should that determination be incorrect, however, the Examiner is hereby authorized to charge any deficiencies to our Deposit Account No. 19-2105, and notify the undersigned in due course.

Should any outstanding formal matters or other issues remain, please telephone Terrence Brown to resolve such.

Respectfully submitted,

Date: May 17, 2004


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